

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA

ROBERT JOHNSON, as Personal Representative of THE ESTATE OF IRENA JOHNSON, Deceased, \*  
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\* Plaintiff,  
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\* v. \* Case No. 2:07CV1068-MHT  
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\* Defendants.

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**REPORT OF PARTIES' PLANNING MEETING**

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1. Pursuant to Federal Rules of Civil Procedure, Rule 26(f), a telephonic meeting was held on January 7, 2008, and was attended by Zachary T. Collins, attorney for plaintiff, David W. Henderson, attorney for Defendant Willie Eva Baldwin, and W. Christopher Waller, Jr., attorney for Defendant Denita Colvin.

2. **Pre-Discovery Disclosures.** The Parties will exchange the information required by Fed.R.Civ.P. 26(a)(1) on or before by January 21, 2008.

3. **Discovery Plan.** The Parties jointly propose to the Court the following discovery plan:

(a) Discovery will be needed on the following subjects: Both defendants dispute both liability and damages. Thus, discovery will be necessary in regard to the plaintiff's claims. Plaintiff Johnson will need to conduct discovery regarding his claims and the defendants' defenses.

(b) All discovery will be commenced in time to be completed by June 9, 2008.

(c) Maximum of 40 Interrogatories by each party to any other party. (Responses due 30 days after service.)

(d) Maximum of 40 Requests for Admission by each party to any other party. (Responses due 30 days after service.).

(e) Maximum of 40 Requests for Production of documents by each party to any other party. (Responses due 30 days after service.).

(f) Maximum of 10 depositions by plaintiff, 10 depositions by Defendant Denita Colvin, and 10 depositions by Defendant Willie Eva Baldwin.

(g) Each deposition shall be limited to seven hours, excluding breaks.

(h) Reports from retained experts under Rule 26(a)(2) are due: from plaintiff by March 24, 2008; from defendants by April 28, 2008.

(i) Rebuttal reports from previously designated experts under Rule 26(a)(2) due: from plaintiff by May 12, 2008; from defendants by May 26, 2008.

(j) Supplementation under Rule 26(e) due within twenty (20) days of obtaining additional discoverable information.

#### 4. **Other Items.**

(a) The Parties do not request a conference with the Court before entry of the Scheduling Order.

(b) The Parties request a pretrial conference the week of October 27, 2008.

(c) Plaintiff and defendants should be allowed until March 24, 2008 to join additional parties and amend the pleadings without leave of Court.

(d) All potentially dispositive motions must be filed by July 28, 2008.

(e) The Parties cannot accurately evaluate the claims for settlement at this time but are hopeful ADR may be useful in the future after discovery has been conducted.

(f) Final lists of witnesses under Rule 26(a)(3) should be due from all parties on or before October 6, 2008.

(g) Final lists of exhibits under Rule 26(a)(3) shall be furnished to all parties and due on or before October 21, 2008.

(h) Parties should have fourteen (14) days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

(i) The case should be ready for trial by December 1, 2008, and at this time is expected to take approximately 3 days.

DATED: January 14, 2008.

Respectfully submitted,

By: s/ W. Christopher Waller, Jr.

W. CHRISTOPHER WALLER, JR. (WAL187)

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Respectfully submitted,

By: s/ Zachary T. Collins

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Respectfully submitted,

By: s/ David H. Henderson

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